

EXHIBIT 19 REQUEST FOR CONTINUED SATELLITE AUTHORITY

This application seeks consent to the transfer of control of NVT Wichita Licensee, LLC, the licensee of television stations KSNW(TV), Wichita, Kansas; KSNC(TV), Great Bend, Kansas; KSNG(TV), Garden City, Kansas; and KSNK(TV), McCook, Nebraska, from HBK NV LLC to C. Thomas McMillen (“McMillen”). McMillen hereby respectfully requests that the Commission grant continued authority to operate KSNC(TV) as a satellite station of KSNW(TV) pursuant to Section 73.3555, Note 5 of the Commission’s rules. KSNC(TV), KSNG(TV) and KSNK(TV) are currently operated as satellite stations of KSNW(TV). However, because there is no contour overlap between KSNW(TV) and either KSNG(TV) or KSNK(TV), no specific satellite authority is required for these two stations.¹ Continued satellite authority is only required and requested for KSNC(TV).²

KSNW(TV), KSNC(TV), KSNG(TV) and KSNK(TV) are located in the Wichita-Hutchinson, Kansas Designated Market Area (“DMA”). All four stations are NBC affiliates. The Wichita-Hutchinson DMA covers almost two-thirds of the entire state of Kansas. The size of this DMA makes it difficult for stations to compete without the use of satellite stations. In fact, all four major network affiliates in this DMA operate satellite stations. The system of parent and satellite stations has served the viewers of this DMA well, and grant of the instant request will ensure continuity in the provision of NBC network programming throughout this DMA. Conversely, a denial of this request will likely result in the proposed satellite stations being unable to continue operations, thus depriving viewers of the service upon which they rely. *See* Letter of Brian E. Cobb, President of CobbCorp, LLC, a nationally-recognized media brokerage firm, attached as Attachment 2 (the “Cobb Letter”)

In support of his request, McMillen demonstrates herein that the satellite operation of KSNC(TV) is presumptively in the public interest pursuant to the Commission’s three-part test set forth in *Television Satellite Stations*, 6 FCC Rcd 4212 (1991) (“Satellite Order”):

- (1) there is no city-grade contour overlap between the parent and the satellite;
- (2) the satellite provides service to an underserved area; and
- (3) no alternative operator is ready and able to purchase and operate the satellite as a full-service station.

Contour Overlap: The Satellite Order pre-dates the DTV transition and therefore does not specify the digital service contours relevant to the first part of the Commission’s test:

¹ *See* Attachment 1.

² Authority to operate KSNC(TV) as a satellite was first granted in *LIN TV Co.*, 15 FCC Rcd 18130 and reaffirmed in DA 05-3219, released Dec. 20, 2005, as well as in DA 07-4468, released Oct. 30, 2007.

whether there is “city-grade contour overlap” between the parent and satellite. As demonstrated in Attachment 1, Exhibit E-1, KSNC(TV) has historically satisfied the first criterion of the Satellite Order’s test for a favorable presumption in that KSNC(TV)’s prior analog City Grade service contour does not overlap the prior analog City Grade service contour of its parent, KSNW(TV).

Because of the technical characteristics of digital broadcasts, stations’ DTV principal community contours generally extend far beyond their former analog City Grade contours. The difference is sufficiently extreme that certain stations whose digital service area is smaller than the former analog service areas may nevertheless produce overlapping digital principal community contours. Such is the case with KSNC(TV) and KSNW(TV).

While KSNC(TV)’s digital principal community contour overlaps that of KSNW(TV), this fact does not undermine a grant of continued satellite authority for the station. First, as noted above, the stations’ former analog City Grade contours have never overlapped and, notwithstanding the different technical characteristics of digital broadcasts that produce DTV principal community contours that are more extensive than analog City Grade contours, the respective digital service areas of KSNC(TV) and KSNW(TV) are actually smaller than the stations’ former analog service areas. In any case, the overlap of KSNW(TV) and KSNC(TV)’s principal community contours occurs in a sparsely populated area, and KSNW(TV)’s principal community contour does not extend to KSNC(TV)’s community of license, Great Bend, KS. Moreover, there are other compelling reasons that warrant grant of continued satellite authority to KSNC(TV).³ As shown below, the remaining criteria for presumptive satellite authority are easily met. In addition, continued satellite authority should be granted in order to ensure that viewers in KSNC(TV)’s viewing area continue to receive a full complement of network signals.⁴

Service to Underserved Areas: The second prong of the Commission’s presumptive test, which requires that the satellite station provide service to an “underserved area,” can be satisfied upon a showing that the satellite station’s community of license has two or fewer full-service stations already licensed to it. A review of the Media Bureau’s online license database indicates that KSNC(TV) is the only full-service television station licensed to Great Bend, Kansas. Thus, the Satellite Order’s second criterion remains satisfied.

No Alternative Operator: Similarly, the Satellite Order’s third prong – the absence of an alternative operator who is ready to purchase and operate KSNC(TV) as a full-service, stand-alone station – remains satisfied. The Commission has reviewed and approved two prior sales of these stations as a group with KSNW(TV) as the parent station and KSNC(TV), KSNB(TV) and KSNK(TV) as satellite stations. Further, as indicated in the

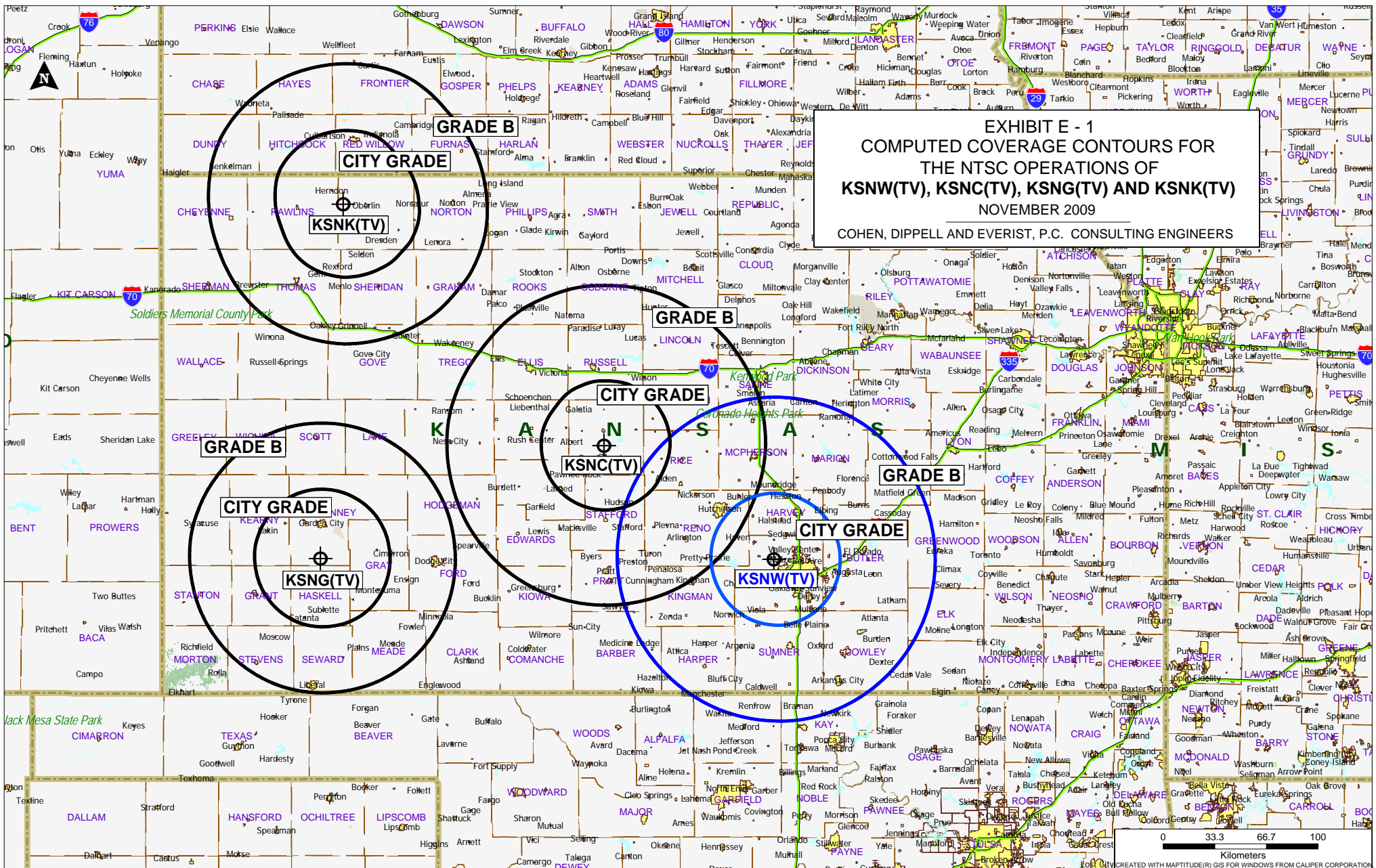
³ See Satellite Order, 6 FCC Rcd at 4214.

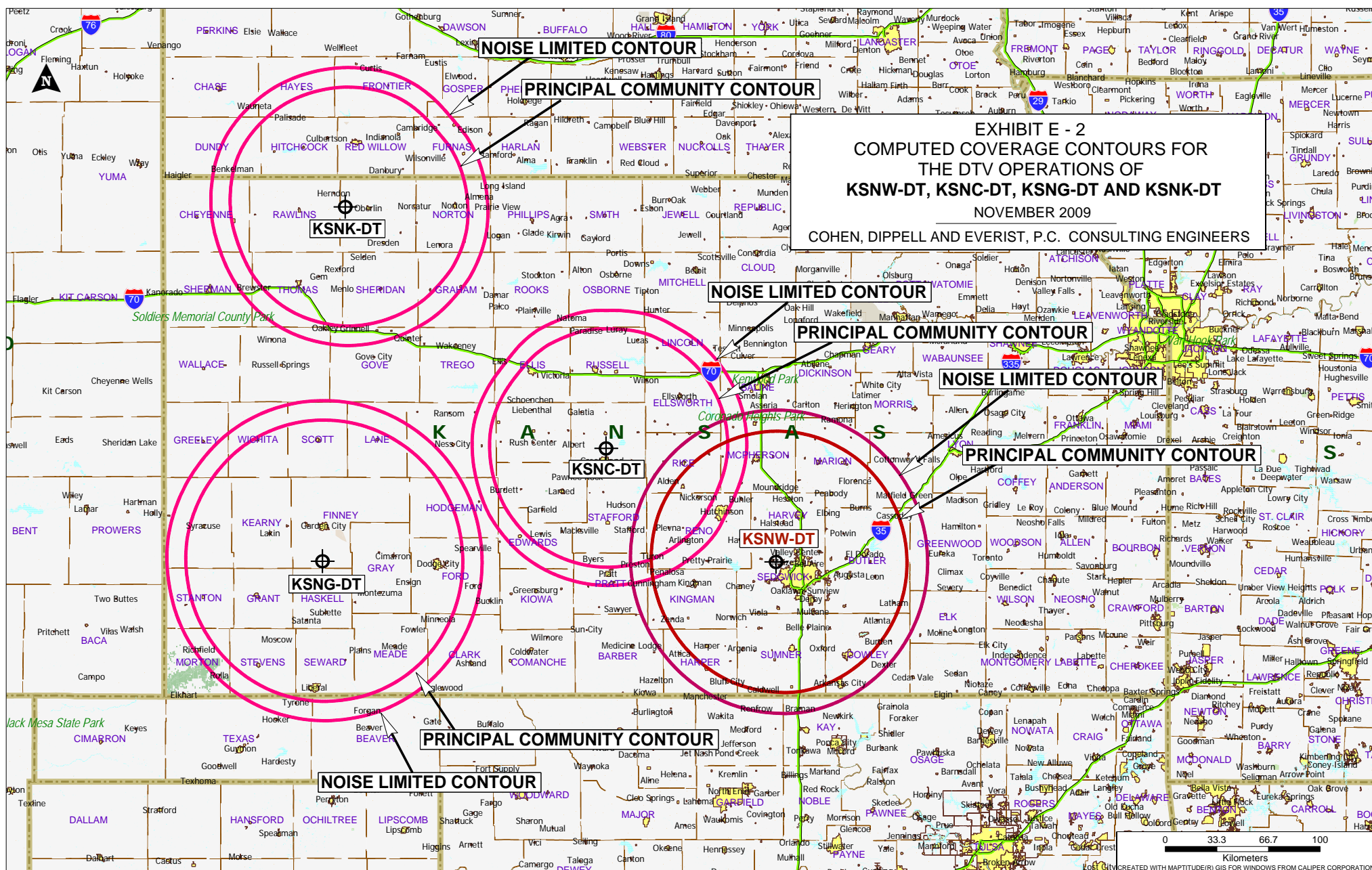
⁴ *Id.*

Cobb Letter, KSNC(TV) simply is not viable as a stand-alone station. The station is not located in a sufficiently large community to be economically successful on its own, and would be unlikely to retain any network affiliation. Indeed, Mr. Cobb notes that he would be reluctant to list KSNC(TV) or KSNW(TV)'s other satellites stations on the market.

Accordingly, McMillen respectfully requests that the Commission grant continued authority to allow NVT Wichita Licensee, LLC to operate KSNC(TV) as a satellite of KSNW(TV).

ATTACHMENT 1





Cohen, Dippell and Everist, P.C.

TABLE I
TECHNICAL PARAMETERS
USED IN THE
KSNW AND SATELLITE STUDY
NOVEMBER 2009

<u>Channel</u>	<u>Call</u>	<u>City/State</u>	<u>ERP</u> kW	<u>HAAT</u> meters	<u>Coordinates</u>	<u>FCC File No.</u>
3	KSNW(TV) Lic	Wichita, KS	100 ND	303.7	37°46'25" 97°30'54"	BLCT-20021118ABN
45	KSNW-DT Lic	Wichita, KS	891 ND	312.2	37°46'26" 97°30'51"	BLCDT-20041029AJF
8	KSNK(TV) Lic	McCook, NE	295 ND	218	39°49'48" 100°42'04"	BMLCT-20031125AMP
12	KSNK-DT Lic	McCook, NE	10.4 ND	218	39°49'48" 100°42'04"	BLCDT-20031017ABP
11	KSNG(TV) Lic	Garden City, KS	200 ND	244	37°46'40" 100°52'08"	BLCT-2479
11	KSNG-DT CP	Garden City, KS	56.8 ND	239	37°46'40" 100°52'08"	BPCDT-20090617ACI
2	KSNC(TV) Lic	Great Bend, KS	100 ND	296	38°25'54" 98°46'18"	BLCT-1672
22	KSNC-DT CP Mod	Great Bend, KS	500 ND	284	38°25'54" 98°46'18"	BMPCDT-20070511ABB

ATTACHMENT 2

November 12, 2009

Mr. William Lake
Chief-Media Bureau
Federal Communications Commission
445 12th St. S.W.
Room 3- C740
Washington, D. C. 20554

Re: KSNW-TV, Wichita, Kansas
KSNG-TV, Garden City, Kansas
KSNC-TV, Great Bend, Kansas
KSNK-TV, McCook, Nebraska

Dear Mr. Lake:

In regard to the transfer application for the above properties, I have been requested to opine on the continued operation of KSNG-TV, KSNC-TV and KSNK-TV as satellites of KSNW-TV. This letter addresses the feasibility of operating and marketing the stations as full service stand alone operations versus their continued operation as satellites.

By way of background, I have over forty years of experience in the broadcast industry as an owner, manager and broker of broadcast properties. I am President of CobbCorp, a media brokerage and investment and merchant banking firm specializing in television station transactions. I was a founding member of Media Venture Partners, a nationally recognized media brokerage firm and was responsible for the appraisal and brokerage of television stations for that firm. Over the past twenty- seven years, I have been involved in the brokerage of more television stations than any other broker. I am a past president of the National Association of Media Brokers and regularly speak on industry panels.

I have acted as broker in two transactions in the Wichita-Hutchinson market and have opined on the satellite status of a competing station in the market. I have also previously rendered opinions regarding KSNW and its satellites during 2007. I am familiar with the Wichita market and the television stations' signals, the level of competition among the stations, the current television economic environment and other relevant market data. I believe I am qualified to reach certain conclusions concerning the subject stations' positions in the market.

There are five independent owners of full power commercial television outlets in the market. All four of the major network affiliated stations have satellites to cover the DMA. Although the market is ranked as the 67th largest according to Nielsen, the population is not growing,



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and it ranks 84th in television advertising revenue according to BIA. At the time of my last review in 2007, the estimated revenue ranking was 78th and the television advertising revenue in the market was more than \$12,000,000 higher.

With such a high level of competition from group owned stations in the Wichita-Hutchinson market, it would not be viable for any of the satellite stations to be forced to compete with the other full power stations that all have network affiliations. The stations would not have an affiliation available capable of viably competing for audience and revenue. Additionally, none of the current satellite stations provide a signal strong enough to cover the market nor do any of them reach Wichita, the largest city in the DMA. In fact, the three satellites combined cover less than twenty five percent of the population in the DMA. This sixty-five county DMA is one of the largest in the country based on square mileage.

If any of the stations were forced to operate as stand alone operations and compete in the market, not only would they suffer financially, but the viewers in its coverage area would be denied network programming and news and weather pertinent to their lives. The stations are good examples why certain outlets should operate as satellites.

Since the other three leading stations all employ satellites and if KSNW was unable to use their satellites to service the complete DMA, they would be placed at a competitive disadvantage. The level of service they provide for the entire community would be hampered.

As a broker, I would be reluctant to offer these marginalized stations for sale knowing that a prospective buyer would be hard pressed to find a successful format. It is highly unlikely that a viable operator could be found to provide a full service operation to the outlying communities.

Sincerely,

Brian E. Cobb
President